

Message Text

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ACTION ARA-10

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FM AMEMBASSY PORT AU PRINCE

TO SECSTATE WASHDC 9231

C O N F I D E N T I A L PORT AU PRINCE 0291

E.O. 11652: GDS

TAGS: PFOR, PINS, HA, US

SUBJECT: DISCUSSION OF SANSARICQ ACQUITTAL WITH GOH

REF: STATE 20978

1. AMBASSADOR MET FEBRUARY 4 WITH SECRETARIES BRUTUS (FOREIGN AFFAIRS), BLANCHET (INTERIOR & DEFENSE), AND JEANTY (JUSTICE) TO BRIEF THEM ON SANSARICQ'S ACQUITTAL, WHICH HE HAD ALREADY DISCUSSED WITH BRUTUS ON JANUARY 31. BRUTUS EXPRESSED CONCERN THAT ACQUITTAL MIGHT BE VIEWED BY OTHER ANTI-GOH REFUGEES AS AN OPEN INVITATION TO CONDUCT TERRORISTIC ACTIVITIES AGAINST HAITI FROM US TERRITORY. AMBASSADOR EXPLAINED WHY SANSARICQ HIMSELF WOULD HAVE A STRONG INTEREST IN AVOIDING FURTHER LEGAL DIFFICULTIES AND STRESSED DETERRENT EFFECT OF MANIFEST US/GOH COOPERATION IN ANTI-TERRORIST MEASURES.

2. AMBASSADOR GAVE EACH MINISTER A MEMORANDUM DRAWN FROM DEPARTMENT'S EXCELLENT GUIDANCE (REFTEL), ALONG WITH INFORMATION THAT CHARGES AGAINST PABLO URIBASTERRA FOR JUNE 1 AIRPORT EXPLOSION HAD BEEN TEMPORARILY DROPPED IN ORDER TO SECURE MORE EFFECTIVE EVIDENCE (STATE 23213). HE SUMMARIZED FACTORS THAT MIGHT HAVE GIVEN JURORS GROUNDS FOR REASONABLE DOUBT OF SANSARICQ'S GUILT, PARTICULARLY HARRINGTON'S ROLE AS A DEA INFORMANT, ALLEGED CIA CONNECTION, AND CIRCUMSTANTIAL CONNECTION OF SANSARICQ WITH EXPLOSIVES.

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3. ALL THREE MINISTERS WERE POLITELY SKEPTICAL THAT ANY REASONABLE JURY COULD HAVE TAKEN THE DEFENSE CONTENTIONS SERIOUSLY. BRUTUS, FOR EXAMPLE, WONDERED WHETHER A "GRAND-STYLE REVOLUTIONARY" HAD TO SEND A WHOLE BOATLOAD OF EXPLOSIVES TO HAITI IN ORDER TO BE CONVICTED IN US COURTS. DEFENSE ARGUMENT THAT HARRINGTON HAD COME TO HAITI TO BLOW UP DRUG CACHE AND COMPROMISE GOH OFFICIALS STRUCK MINISTERS AS FAR-FETCHED IN VIEW OF HARRINGTON'S RECONNOITERING ACTIVITIES IN PORT AU PRINCE CENTERED ON KEY GOH INSTALLATIONS. ALL THREE MINISTERS WERE INCREDULOUS AT DEFENSE'S CLAIM THAT HARRINGTON WAS AN ASSASSINATION VICTIM, POINTING OUT THAT WITNESS CINDY ABRAMS WAS ABLE TO DISPROVE IT. BLANCHET ADDED THAT FOR ANYONE TO HAVE HAD A MOTIVE TO KILL HARRINGTON, THAT PERSON FIRST HAD TO BE AWARE OF HARRINGTON'S REAL MISSION. BY THAT REASONING BLANCHET FELT SANSARICQ WAS THE PRIME SUSPECT.

4. HOWEVER, THEY APPARENTLY REALIZED THE PROSECUTION'S CASE HAD BEEN WEAKENED IN AT LEAST ONE RESPECT BY FAILURE OF GOH AUTHORITIES TO LOCATE FOR FBI INVESTIGATORS LAST OCTOBER THE MAP MARKED WITH X'S AT THE PALACE AND ARMY H.Q. FOUND IN HARRINGTON'S POSSESSION. (AMBASSADOR DID NOT MENTION THAT WE WERE TOLD THAT PRESIDENT DUVALIER HAD PUT THE MAP IN A SUIT POCKET, AND LATER WAS UNABLE TO FIND IT.)

5. COMMENT: ALTHOUGH OUR DETAILED EXPLANATIONS HELPED TO MODERATE THEIR CONCERNS, AT LEAST AS TO USG EFFORTS IN MATTER, HAITIAN AUTHORITIES HAVE BEEN SHARPLY DISAPPOINTED IN TRIAL OUTCOME. THEIR RESIDUAL SUSPICIONS THAT NO ANTI-GOH TERRORIST CAN BE EFFECTIVELY PROSECUTED UNDER US JURY SYSTEM HAVE BEEN FORTIFIED. FROM OUTSET THEY HAD DOUBTED WHETHER COL ACHILLE'S TESTIMONY WOULD BE USEFUL, AND NOW THEY FEEL OUTCOME HAS JUSTIFIED THOSE DOUBTS--A POINT WE FORCEFULLY CONTESTED. THEY REMAIN NON-COMMITTAL AS TO WHETHER ACHILLE WILL BE AUTHORIZED TO TESTIFY AT EVENTUAL TRIAL OF URIBASTERRA. IT WOULD BE HELPFUL, TO DISPEL THEIR DOUBTS, IF WE COULD HAVE JUSTICE DEPT LAWYERS' ASSESSMENT AS TO VALUE OF COL ACHILLE'S TESTIMONY. MEANWHILE, ANY EVIDENCE OF CONTINUED USG COOPERATION IN PREVENTING FURTHER TERRORIST PLOTS WOULD HELP RESOLVE THEIR DOUBTS AS TO DEGREE OF GOH PARTICIPATION IN URIBASTERRA TRIAL.

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